

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

BEAR WARRIORS UNITED, INC., a Florida Not for Profit Corporation,
Plaintiff-Appellee,

v.

ALEXIS LAMBERT, in her official capacity as Secretary of the FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION,
Defendant-Appellant.

Appeal from the U.S. District Court for the
Middle District of Florida, No. 6:22-cv-2048 (Mendoza, J.)

UNOPPOSED MOTION TO CONSOLIDATE

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**Supervised by principals of the firm admitted
to practice in Virginia*

Counsel for Defendant-Appellant

CERTIFICATE OF INTERESTED PERSONS

Pursuant to Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rule 26.1-1 and 26.1-2, the undersigned counsel certifies that the following listed persons and parties may have an interest in the outcome of this case:

1. Bear Warriors United, Inc. – Appellee
2. Blackner, Leslie G. – Counsel for Appellee Bear Warriors United
3. Blackner, Stone & Associates – Counsel for Appellee Bear Warriors United
4. Blome, Jessica L. – Counsel for Appellee Bear Warriors United
5. Bradford, Susann M. – Counsel for Appellee Bear Warriors United
6. Brown, Jeffrey – Counsel for Appellant Secretary Lambert
7. Colton, Bryan E. – Counsel for Appellee Bear Warriors United
8. Consovoy McCarthy PLLC – Counsel for Appellant Secretary Lambert
9. Corbani, Kelley F. – Counsel for Appellant Secretary Lambert
10. Greenfire Law, PC – Counsel for Appellee Bear Warriors United
11. Harris, Jeffrey M. – Counsel for Appellant Secretary Lambert
12. Lambert, Alexis, in her official capacity as Secretary of the Florida Department of Environmental Protection – Appellant
13. Mendoza, Honorable Carlos E. – Judge for the United States District Court for the Middle District of Florida
14. Price, Honorable Leslie H. – Magistrate Judge for the United States District Court for the Middle District of Florida
15. Rivo, Lily A. – Counsel for Appellee Bear Warriors United
16. Venable, Nicholas B. – Counsel for Appellant Secretary Lambert

17. Weir, Bryan – Counsel for Appellant Secretary Lambert

Dated: June 4, 2025

/s/ Jeffrey M. Harris
Counsel for Defendant-Appellant

MOTION TO CONSOLIDATE

Defendant-Appellant—Alexis Lambert in her official capacity as Secretary of the Florida Department of Environmental Protection—moves, under Eleventh Circuit Rule 27, to consolidate her pending appeals in Eleventh Circuit Case Nos. 25-11612 and 25-11821. Plaintiff-Appellee does not oppose this motion.

On April 11, 2025, the District Court entered judgment in favor of Plaintiff on its request for a declaratory judgment and ordered Plaintiff to file a proposed injunction. R.172. On May 9, 2025, Defendant timely appealed that judgment, R.181, which this Court docketed as No. 25-11612. On May 19, the district court entered Plaintiff's requested injunction. R.190. To ensure that this injunction was encompassed within the scope of the appeal, Defendant filed an amended notice of appeal specifically identifying the injunction order on May 28, 2025. R.195. This Court separately docketed the appeal of the injunction order as No. 25-11821.

Defendant respectfully requests that the Court consolidate the appeals currently docketed as Eleventh Circuit Case Nos. 25-11612 and 25-11821. Consolidation is appropriate when it “is in the interest of judicial economy, such as when multiple appeals raise the same or similar issues.” Eleventh Circuit Rule 12-2 (permitting the clerk to consolidate appeals). It is the “proper solution to problems created by the existence of two or more cases involving the same parties and issues, simultaneously pending in the same court.” *Hargett v. Valley Fed. Sav. Bank*, 60 F.3d 754, 765-66 (11th Cir. 1995). The two appeals currently pending before this Court involve the same parties, the same underlying judgment, and largely the same questions of law and fact. The initial order in favor of Plaintiff, R.172, provided the reasoning for why the district

court concluded that Plaintiff was entitled to the injunctive relief granted in R.190. It would thus promote the interests of judicial economy to consolidate the two appeals for purposes of briefing and oral argument.

CONCLUSION

For these reasons, Defendant respectfully asks this Court to grant this unopposed motion to consolidate Nos. 25-11612 and 25-11821.

Dated: June 4, 2025

Respectfully submitted,

/s/ Jeffrey M. Harris

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Counsel for Defendant-Appellant

CERTIFICATE OF COMPLIANCE

This motion complies with Rule 27(d)(2)(A) because it contains 331 words, excluding the parts that can be excluded. This motion also complies with Rule 32(a)(5)-(6) because it has been prepared in a proportionally spaced face using Microsoft Word 2016 in 14-point Garamond font.

Dated: June 4, 2025

/s/ Jeffrey M. Harris

CERTIFICATE OF SERVICE

I filed this motion with the Court via ECF, which will email everyone requiring notice.

Dated: June 4, 2025

/s/ Jeffrey M. Harris